

REMARKS

In this response, Applicant does not add, cancel or amend any claims. Accordingly, claims 1-53 are pending.

I. Claims Rejected Under 35 U.S.C. § 102

Claims 1, 2, 8, 9, 11-13, 16-18, 25, 26, 28-30, 33-35, 39-42, 46, 47, 49, 51 and 52 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,263,317 issued to Sharp, et al (hereinafter "Sharp").

Submitted herewith is a Declaration by Applicant pursuant to 37 C.F.R. § 1.131 stating that the invention of the present application was conceived and reduced to practice prior to the filing of Sharp. In the Declaration, Applicant has clarified the timeline in which the invention was reduced to practice and provided additional documentation demonstrating the reduction to practice of the invention as claimed. Therefore, Sharp cannot be cited as prior art under 35 U.S.C. § 102(e) against the present application. Accordingly, reconsideration and withdrawal of the anticipation rejection of claims 1, 2, 8, 9, 11-13, 16-18, 25, 26, 28-30, 33-35, 39-42, 46, 47, 49, 51 and 52 are requested.

II. Claims Rejected Under 35 U.S.C. § 103

Claims 3-7, 10, 14, 15, 19-24, 27, 31, 32, 36-38, 43-45, 48-50 and 53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sharp in view of U.S. Patent No. 6,058,373 issued to Blinn, et al. (hereinafter "Blinn"), U.S. Patent No. 5,991,740 issued to Messer (hereinafter "Messer"), Official Notice, that which is old and well known in Applicant admission.

The Examiner's obviousness rejections of these claims rely on Sharp as a primary reference in combination with Blinn, Messer, Official Notice, and Applicant's Admission. In light of Applicant's Declaration, as discussed in regard to the anticipation rejection above, Sharp cannot be cited against the present application. Therefore, Applicant respectfully requests reconsideration and withdrawal of the obviousness rejections of the claims that are primarily based on Sharp.

Accordingly, reconsideration and withdrawal of the obviousness rejection of these claims are requested.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely claims 1-53, patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

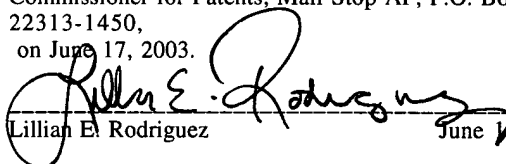
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CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No **EV339917468US** addressed to: Commissioner for Patents, Mail Stop AF, P.O. Box 1450, Alexandria VA 22313-1450, on June 17, 2003.

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Lillian E. Rodriguez June 17, 2003